

AMENDMENT TO THE CLAIMS

In accordance with Rule 1.121, a complete claim listing is presented below. A status identifier (Original), (**Currently Amended**), (Previously Amended), (**Cancelled**), (Withdrawn), (Previously Presented), (**NEW**), or (Not Entered) precedes each claim. Only the changes in amended claims are shown by strikethrough (deleted material) and underlining (added material).

1. (Previously Amended) A composition for controlled release of a bioactive agent, comprising:
 - a biodegradable crystallizable polymer;
 - a biodegradable amorphous polymer;
 - a biocompatible solvent; and
 - a bioactive agent.
2. (Original) The composition of claim 1, wherein the solvent has a miscibility with water less than 7 percent by weight.
3. (Original) The composition of claim 1, further comprising at least one biocompatible component solvent.
4. (Original) The composition of claim 1, further comprising an emulsifying agent.
5. (Original) The composition of claim 1, wherein the composition is sterile.
6. (Original) The composition of claim 1, wherein the biodegradable crystallizable polymer is a polyester.
7. (Original) The composition of claim 1, wherein the biodegradable crystallizable polymer is poly(ϵ -caprolactone).

8. (Original) The composition of claim 1, wherein the biocompatible solvent is ethyl benzoate.

Claim 9-16 (**Cancelled**)

17. (**Currently Amended**) The composition of claim 91, wherein the biodegradable amorphous polymer is a polyester.

18. (**Currently Amended**) The composition of claim 91, wherein the biodegradable amorphous polymer is poly(D,L-lactide).

19. (Original) The composition of claim 18, wherein the biodegradable crystallizable polymer is poly (ϵ -caprolactone) and the biocompatible solvent is ethyl benzoate.

Claims 20-33 (**Cancelled**)

34. (Previously Amended) A method of administering a bioactive agent, comprising: inserting the composition of claim 1 into an organism,
wherein the composition comprises:
a biodegradable crystallizable polymer;
a biodegradable amorphous polymer;
a biocompatible solvent; and
a bioactive agent.

Claims ~~36~~35-37 (**Cancelled**)

38. (Original) A method of making the composition of claim 1, comprising: combining ingredients;
wherein said ingredients comprise a biodegradable crystallizable polymer; a biocompatible solvent; and a bioactive agent.

Claims 39-47 (**Cancelled**)

48. (Previously Presented) The method of claim 34, wherein the solvent has a miscibility with water less than 7 percent by weight.

49. (Previously Presented) The method of claim 34, further comprising at least one biocompatible component solvent.

50. (Previously Presented) The method of claim 34, further comprising an emulsifying agent.

51. (Previously Presented) The method of claim 34, wherein the composition is sterile.

52. (Previously Presented) The method of claim 34, wherein the biodegradable crystallizable polymer is a polyester.

53. (Previously Presented) The method of claim 34, wherein the biodegradable crystallizable polymer is poly (ϵ -caprolactone).

54. (Previously Presented) The method of claim 34, wherein the biocompatible solvent is ethyl benzoate.

55. (**Currently Amended**) The method of claim 34, wherein the biodegradable amorphous polymer is a polyester.

56. (Previously Presented) The method of claim 34, wherein the biodegradable amorphous polymer is poly (D,L-lactide).

57. (Previously Presented) The method of claim 56, wherein the biodegradable crystallizable polymer is poly (ϵ -caprolactone) and the biocompatible solvent is ethyl benzoate.

58. (Previously Presented) The composition of claim 1, wherein the composition is multi-layered.

59. (Previously Presented) The method of claim 34, wherein
inserting is by injecting.